

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

*

UNITED STATES OF AMERICA

*

v.

* **CRIMINAL NO. JKB-14-0420**

CHARLES COLEMAN

*

Defendant

*

* * * * *

MEMORANDUM AND ORDER

The Defendant has filed a motion seeking a re-computation of his sentence such that he be awarded jail credit that has been denied by the Bureau of Prisons (ECF No. 65). The Government has responded (ECF No. 67). The motion is ripe.

While the Court previously recommended that the Defendant receive certain jail credit, such recommendation should be interpreted in the context of the relevant statute which is set out in 18 U.S.C. § 3585(b). That provision provides:

- (b) Credit for prior custody. — A defendant shall be given credit toward the service of a term of imprisonment for any time he has spent in official detention prior to the date the sentence commences —
- (1) as a result of the offense for which the sentence was imposed; or
 - (2) as a result of any other charge for which the Defendant was arrested after the commission of the offense for which the sentence was imposed that has not been credited against another sentence.

The Court accepts the Government's proffer that the Bureau of Prisons investigated and confirmed that the jail credit which the Defendant now seeks has "been credited against another

sentence." This is consistent with the content of the Presentence Report as noted by the Government (*see* PSR ¶¶ 31, 32).

Regardless of the prior recommendation, it appears that the Bureau of Prisons has correctly computed the sentence and that they have correctly denied the jail credit requested. Accordingly, the motion (ECF No. 65) is DENIED.

DATED this 8 day of March, 2021.

BY THE COURT:



James K. Bredar
Chief Judge